

1 SENATE JOINT RESOLUTION NO. 35  
2 AMENDMENT IN THE NATURE OF A SUBSTITUTE  
3 (Proposed by the House Committee on Rules  
4 on March 3, 2022)  
5 (Patron Prior to Substitute--Senator Lewis)

6 Continuing the Joint Subcommittee on Coastal Flooding. Report.

7 WHEREAS, House Joint Resolution 50 and Senate Joint Resolution 76 (2012) directed the  
8 Virginia Institute of Marine Science (VIMS) to study strategies for adaptation to prevent recurrent  
9 flooding in Virginia's Tidewater and Eastern Shore localities; and

10 WHEREAS, the resulting VIMS report, titled "Recurrent Flooding Study for Tidewater Virginia,"  
11 published as Senate Document 3 (2013), stated that recurrent flooding impacts all localities in Virginia's  
12 coastal zone and is predicted to become worse over reasonable planning horizons (20 to 50 years); and

13 WHEREAS, VIMS offered several recommendations, including that the Commonwealth, working  
14 with its coastal localities, (i) begin comprehensive and coordinated planning efforts; (ii) initiate  
15 identification, collection, and analysis of data needed to support effective planning for response efforts;  
16 and (iii) take a lead role in addressing recurrent flooding in Virginia for the following reasons: (a)  
17 accessing relevant federal resources for planning and mitigation may be enhanced through state mediation,  
18 (b) flooding problems are linked to water bodies and therefore often transcend locality boundaries, and  
19 (c) prioritizing flood management actions must be based in part on risk, and therefore the Commonwealth  
20 must oversee the necessary studies to determine adaptation strategies, as well as implementation of the  
21 agreed-upon strategies; and

22 WHEREAS, the Joint Legislative Audit and Review Commission (JLARC) study mandated by  
23 House Joint Resolution 132 (2012) and presented on October 15, 2013, titled "Review of Disaster  
24 Preparedness Planning in Virginia," stated: "The state generally has strong disaster response plans, but  
25 deficiencies in evacuation and shelter plans may compromise the safety of the Hampton Roads population  
26 during a catastrophic disaster"; and

27 WHEREAS, the JLARC study further noted that if four key assumptions in the state's current  
28 evacuation plan do not hold, "timely hurricane evacuations could be compromised," placing citizens at  
29 risk after the storm; and

30 WHEREAS, House Joint Resolution 16 and Senate Joint Resolution 3 (2014) established the Joint  
31 Subcommittee to Formulate Recommendations to Address Recurrent Flooding as recommended by the  
32 VIMS report; and

33 WHEREAS, the Joint Subcommittee to Address Recurrent Flooding met four times during the  
34 2014 interim to collect information from federal and state agencies, localities, and stakeholders and to  
35 carry out its work; and

36 WHEREAS, the Joint Subcommittee to Address Recurrent Flooding filed an executive summary  
37 with the General Assembly prior to the 2015 Session, which included five initial recommendations to  
38 increase public awareness, improve local and state government agency resiliency coordination, and  
39 address floodplain management; and

40 WHEREAS, recommendations made by the Joint Subcommittee to Address Recurrent Flooding  
41 during the 2014 interim resulted in six bills passing the General Assembly with bipartisan support during  
42 the 2015 Session; and

43 WHEREAS, the Joint Subcommittee to Address Recurrent Flooding met four times during the  
44 2015 interim to collect information from federal and state agencies, localities, and stakeholders and to  
45 carry out its work; and

46 WHEREAS, the members of the full Joint Subcommittee to Address Recurrent Flooding concurred  
47 that the joint subcommittee be continued for two more years with a name change to the Joint  
48 Subcommittee on Coastal Flooding to more accurately reflect its mission and to continue the  
49 Commonwealth on the path of advancing Virginia as the coastal states' leader in advancing resiliency  
50 strategies and, most importantly, protecting its citizens and business assets; and

51 WHEREAS, pursuant to House Joint Resolution 84 and Senate Joint Resolution 58 (2016), the  
52 Joint Subcommittee on Coastal Flooding continued its work during the 2016 and 2017 interims and  
53 brought forth additional recommendations for the 2018 Session; and

54 WHEREAS, pursuant to House Joint Resolution 26 and Senate Joint Resolution 19 (2018), the  
55 Joint Subcommittee on Coastal Flooding continued its work during the 2018 and 2019 interims and  
56 brought forth additional recommendations for the 2020 Session; and

57 WHEREAS, pursuant to House Joint Resolution 102 and Senate Joint Resolution 27 (2020), the  
58 Joint Subcommittee on Coastal Flooding continued its work during the 2020 and 2021 interims and will  
59 bring forth additional recommendations for the 2022 Session; and

60 WHEREAS, the members of the joint subcommittee concur that the work of the joint  
61 subcommittee be continued for two additional years; now, therefore, be it

62 RESOLVED by the Senate, the House of Delegates concurring, That the Joint Subcommittee on  
63 Coastal Flooding be continued. The joint subcommittee shall have a total membership of 11 members that  
64 shall consist of five members of the House of Delegates appointed by the Speaker of the House of  
65 Delegates in accordance with the principles of proportional representation contained in the Rules of the  
66 House of Delegates; three members of the Senate appointed by the Senate Committee on Rules; and three  
67 nonlegislative citizen members, one of whom shall be a business leader and one of whom shall be a  
68 representative of the environmental community appointed by the Speaker of the House of Delegates, and  
69 one of whom shall be a local official representing Virginia's flood-prone communities appointed by the  
70 Senate Committee on Rules. Nonlegislative citizen members of the joint subcommittee shall be citizens  
71 of the Commonwealth of Virginia. The current members appointed by the Speaker of the House of  
72 Delegates shall be subject to reappointment. The current members appointed by the Senate Committee on  
73 Rules shall continue to serve until replaced. Vacancies shall be filled by the original appointing authority.  
74 Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk,  
75 nonlegislative citizen members shall only be reimbursed for travel originating and ending within the  
76 Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the  
77 other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee  
78 shall elect a chairman and vice-chairman from among its membership, who shall be members of the  
79 General Assembly.

80 In conducting its study, the joint subcommittee shall recommend short-term and long-term  
81 strategies for minimizing the impact of recurrent flooding and coastal storms.

82 Administrative staff support shall continue to be provided by the Office of the Clerk of the House  
83 of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee  
84 shall continue to be provided by the Division of Legislative Services. Technical assistance shall continue  
85 to be provided by faculty at Virginia institutions of higher education who have expertise in the subject  
86 matter. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this  
87 study, upon request.

88 The joint subcommittee shall be limited to four meetings for the 2022 interim and four meetings  
89 for the 2023 interim, and the direct costs of this study shall not exceed \$18,640 for each year without  
90 approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require  
91 the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a  
92 companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be  
93 required.

94 No recommendation of the joint subcommittee shall be adopted if a majority of the House members  
95 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the  
96 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the  
97 joint subcommittee.

98 The joint subcommittee shall complete its meetings for the first year by November 30, 2022, and  
99 for the second year by November 30, 2023, and the chairman shall submit to the Division of Legislative  
100 Automated Systems an executive summary of its findings and recommendations no later than the first day  
101 of the next Regular Session of the General Assembly for each year. Each executive summary shall state  
102 whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of  
103 its findings and recommendations for publication as a House or Senate document. The executive  
104 summaries and reports shall be submitted as provided in the procedures of the Division of Legislative  
105 Automated Systems for the processing of legislative documents and reports and shall be posted on the  
106 General Assembly's website.

